

# C.K. INDUSTRIES, INC.

Vernon A. Williams, Secretary  
Surface Transportation Board  
1925 K Street, N.W., Room 713  
Washington, D.C. 20423

REGISTRATION NO. 25916 FILED

OCT 06 '05

3-23 PM

SURFACE TRANSPORTATION BOARD



October 1, 2005

Dear Secretary:

I am enclosing duplicate originals and one certified copy of the primary document, Memorandum of Lease, dated August 16, 2005, and more fully described below, to be recorded pursuant to Section 11301 of Title 49 of the U.S. Code.

The parties to the documents are as follows:

Lessor:  
C.K. Industries  
P.O. Box 87  
Deland, FL 32721-0087

Lessee:  
Conrad Yelvington Distributors, Inc.  
P.O. Box 11637  
Daytona Beach, FL 32120-1637

The equipment covered by the lease are nine (9) 1976 100-ton capacity, Open Top hoppers. Bearing reporting marks CYXX 4001-4009, inclusive.

A recording fee of \$33.00 is enclosed. After recording and affixing the file stamp notation, please return copies to the following address and retain a certified copy for STB files:

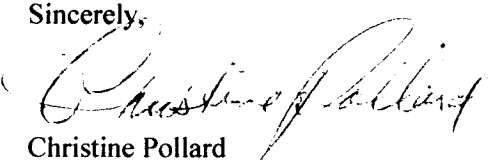
C.K. Industries  
P.O. Box 87  
Deland, FL 32721-0087

We propose the following for the index:

***Memorandum of Lease evidencing the Car Lease between C.K. Industries, Inc. (lessor) and Conrad Yelvington Distributors, Inc. (lessee) dated August 16, 2005, and covering nine (9) 100-ton, 1976 100-ton capacity, Open Top hoppers. Bearing reporting marks CYXX 4001-4009, inclusive.***

Please contact us at 386- 738-7611 if you have any questions regarding this matter.

Sincerely,

  
Christine Pollard  
Administrative Assistant

Enclosures

RECORDATION NO. 25916 FILED

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SURFACE TRANSPORTATION BOARD

MEMORANDUM OF LEASE



This MEMORANDUM OF LEASE, effective as of 9/27, 2005 is intended to evidence the Car Lease dated August 16, 2005 (the "Lease") between C.K. Industries, Inc. a Florida corporation ("lessor"), and Conrad Yelvington Distributors, Inc. ("Lessee"), for the purpose of satisfying the requirements of recordation with the Surface Transportation Board under Section 49 of U.S.C. 11301. Lessee has the right to use the nine (9) railcars described in Exhibit A attached hereto (the "Units"). Lessee is renting from Lessor all the Units at the rentals and upon the terms and conditions provided in the Lease.

IN WITNESS WHEREOF, lessor and Lessee, each pursuant to due corporate authority, has executed this Memorandum of Lease on the date indicated below its signature.

C.K. Industries, Inc.

Conrad Yelvington Distributors, Inc.

By: \_\_\_\_\_

By: \_\_\_\_\_

Printed Name: CLAUDE BIGOT

Printed Name: GARRY YELVINGTON

Title: PRESIDENT

Title: PRESIDENT

## EXHIBIT A

To the Memorandum of Lease dated August 16, 2005 between C.K. Industries, Inc. and Conrad Yelvington Distributors, Inc.

### Description of Units

Nine (9) 1976, 100-ton capacity, Open Top Hopper Railcars. Bearing reporting marks as follows:

<u>OLD</u> <u>MARK</u>	<u>OLD</u> <u>NUMBER</u>	<u>NEW</u> <u>MARK</u>	<u>NEW</u> <u>NUMBER</u>
IAIS	8600	CYXX	4001
IAIS	8601	CYXX	4002
IAIS	8602	CYXX	4003
IAIS	8603	CYXX	4004
IAIS	8604	CYXX	4005
IAIS	8605	CYXX	4006
IAIS	8606	CYXX	4007
IAIS	8607	CYXX	4008
IAIS	8608	CYXX	4009

STATE OF FLORIDA                     )  
   ) ss.  
COUNTY OF VOLUSIA                )

On this 27<sup>th</sup> day of September, 2005, before me personally appeared Claude Bigot, to me personally known, who being duly sworn, says that he is President of C. K. Industries, Inc., that said instrument was signed on behalf of said corporation by authority of its Board of Directors, and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

Frances L. Achterberg  
Notary Public

(NOTORIAL SEAL)

My Commission Expires: July 29, 2007



Frances L. Achterberg  
My Commission DD236193  
Expires July 29, 2007

**CERTIFICATE OF ACCEPTANCE OF  
RAILROAD CARS**

This Certificate related to the railroad Cars listed below leased by C.K. INDUSTRIES, INC. to Conrad Yelvington Distributors, Inc. under a Car Lease dated as of August 16, 2005 to which this Certificate is incorporated.

DESCRIPTION OF CARS: Nine (9) 1976, 100-ton capacity, Open Top Hopper Railcars. Bearing reporting marks as follows:

<u>OLD MARK</u>	<u>OLD NUMBER</u>	<u>NEW MARK</u>	<u>NEW NUMBER</u>
IAIS	8600	CYXX	4001
IAIS	8601	CYXX	4002
IAIS	8602	CYXX	4003
IAIS	8603	CYXX	4004
IAIS	8604	CYXX	4005
IAIS	8605	CYXX	4006
IAIS	8606	CYXX	4007
IAIS	8607	CYXX	4008
IAIS	8608	CYXX	4009

Lessee hereby certifies the fitness and suitability and its unconditional acceptance of the railroad cars listed herein as of the date below written and hereby subjects said railroad cars to the Car Lease.

Lessee hereby certifies that the representations and warranties of Lessee contained in the Car Lease are true and correct as of the date below written and that no event of default exists or with the passage of time would exist with regard to the Car Lease.

Lessee hereby certifies that the undersigned officer signing on behalf of Lessee is duly authorized to execute and deliver this Certificate.

LESSEE:

BY: Conrad Yelvington

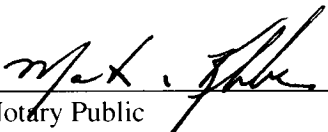
TITLE: President

SIGNATURE: Conrad Yelvington

DATE: 8-16-05

STATE OF FLORIDA                    )  
  ) ss.  
COUNTY OF VOLUSIA                )

On this 16th day of August, 2005, before me personally appeared Gary Yelvington, to me personally known, who being duly sworn, says that he is President of Conrad Yelvington Distributors, Inc., that said instrument was signed on behalf of said corporation by authority of its Board of Directors, and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

  
\_\_\_\_\_  
Notary Public

(NOTORIAL SEAL)

My Commission Expires: \_\_\_\_\_



**MARK W. KLEBE**  
Notary Public, State of Florida  
My comm. expires July 1, 2009  
Comm. No. DD 432075